**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DYFAN, LLC,

                    Plaintiff,

      v.

TARGET CORPORATION

                 Defendants.

C.A. No. 6:19-cv-00179-ADA

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

In accordance with the Scheduling Order (D.I. 28) as modified by (D.I. 39) and the parties' agreement, Plaintiff Dyfan, LLC ("Dyfan") and Defendant Target Corporation ("Target") submit this Joint Claim Construction Statement. The patents involved in this case are U.S. Patent No. 9,973,899 ("the '899 patent") and U.S. Patent No. 10,194,292 ("the '292 patent") (collectively "patents in suit"). The '899 patent claims that are asserted in the above-referenced case are claims 1-4, 7, 9, 11-19, and 23-30; and the '292 patent claims that are asserted in the above-referenced case are claims 1-8, 10-21, and 23-30.

I.   AGREED CONSTRUCTIONS

There are no claim terms on which the parties agree as to construction.

II.   LIST OF DISPUTED TERMS FOR CONSTRUCTION

The parties provide the following list of disputed terms for construction, and number them as done in the parties' claim construction briefing for the Court's convenience.

	Claim Term	Dyfan's Proposed Construction	Target's Proposed Construction
1	"building including a plurality of facilities therein" ('292 Claims 1, 15, 28)	Plain and Ordinary Meaning	"building containing two or more distinct venues or stores, each built, installed, or established to serve a particular purpose, brand or company"
2	"shopping mall" ('899 Claims 2, 7, 12, 30; '292 Claims 4, 13, 26, 29)	Plain and Ordinary Meaning	Plain and ordinary meaning, i.e. "building containing two or more distinct and independent retail stores"
3	"an identifier including at least three fields" ('899 Claim 1)	Plain and Ordinary Meaning	"identifier subdivided into at least three data locations"
4	"an address portion" ('899 Claims 1, 7, 9, 11, 30; '292 Claim 4)	Plain and Ordinary Meaning	"a header identifying the destination of the message"

5	"output, via the at least one mobile device" / "causing to be output, via the at least one mobile device" / "cause to be output, via the at least one mobile device" ('899 Claims 1, 7, 9, 11; '292 Claims 1, 15, 28)	Plain and Ordinary Meaning	"delivering from the at least one mobile device/causing the delivery from the at least one mobile device"
6	"an application [computer code] configured for[to be] execution [executed] by at least one of a plurality of mobile devices . . . the application when executed causes the at least one mobile device to [the computer code, when executed, configured to] [the application, when executed, configured to] . . . [cause] display of an option via a display of the at least one mobile device" ('899 Claims 1, 7, 9, 11)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "[cause / causes the at least one mobile device to] display of an option via a display of the at least one mobile device" Structure: Indefinite
7	"code configured to be executed by at least one of the plurality of mobile devices, the code, when executed, configured to . . . cause display, via a displayof the at least one mobile device, of an option for causing first visual information and second visual information to be output via the at least one mobile device" ('292 Claims 1, 15, 28)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "cause display, viaa display of the at least one mobile device, of an option for causing first visual information and second visual information to be output via the at least one mobile device" Structure: Indefinite
8	"an application configured for execution by [configured to be executed by] at least one of a plurality of mobile devices . . . the application when executed causes the at least one mobile device to [configured to] . . .	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit

receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit and via the Bluetooth [first] wireless communications protocol, of the one or more messages including the address portion and the identifier including the at least three fields [, the plurality of fields,] and the at least one value" / "computer code configured for execution by at least one of a plurality of mobile devices . . . the computer code, when executed, configured to . . . receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit and via the short-range first wireless communications protocol, of the one or more messages including the address portion, the at least three fields, and the at least one value" / "code configured for execution by at least one of a plurality of mobile devices . . . the code, when executed, configured to . . . receive an indication of a receipt from the first broadcast short-range communications unit and via the first wireless communications protocol, of the one or more first broadcast messages including the at least one first value" ('899 Claims 1, 7, 9, 11; '292 Claims 1, 15, 28)		and via the Bluetooth [first] wireless communications protocol, of the one or more messages including the address portion and the identifier including the at least three fields [, the plurality of fields,] and the at least one value" / "receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit and via the short- range first wireless communications protocol, of the one or more messages including the address portion, the at least three fields, and the at least one value" / "receive an indication of a receipt from the first broadcast short-range communications unit and via the first wireless communications protocol, of the one or more first broadcast messages including the at least one first value" Structure: Indefinite

9	"code configured to be executed by at least one of the plurality of mobile devices, the code, when executed, configured to . . . receive an indication of a receipt, from the second broadcast short- range communications unit and via the first wireless communications protocol, of the one or more second broadcast messages including the at least one second value" ('292 Claims 1, 15, 28)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "receive an indication of a receipt, from the second broadcast short-range communications unit and via the first wireless communications protocol, of the one or more second broadcast messages including the at least one second value" Structure: Indefinite
10	"said application, when executed, further configured to cause the at least one mobile device to . . . in response to the receipt, from the at least one server and via the another wireless communications protocol, of the response message including the particular location-relevant information; control, utilizing the application, the one or more mobile device application actions of the application including causing to be output, via the at least one mobile device, the mobile device application visual information based on the particular location- relevant information" ('899 Claim 1)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "in response to the receipt, from the at least one server and via the another wireless communications protocol, of the response message including the particular location- relevant information; control . . . the one or more mobile device application actions of the application including causing to be output, via the at least one mobile device, the mobile device application visual information based on the particular location-relevant information" Structure: Indefinite
11	"said application, when executed, further configured to . . . after the receipt, from the at least one server and via the second wireless communications protocol, of the response message	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the receipt, from the at least one server and via the second wireless communications protocol, of

including the particular location-relevant information: cause, utilizing the application, the one or more mobile device application actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information" / "computer code , when executed, further configured to . . . in response to [after] the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the particular location-relevant information from the at least one server and via the second wireless communications protocol; cause, utilizing the computer code, the one or more mobile device actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information" / "code, when executed, further configured to . . . after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the first location-relevant information and the second location-relevant information: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information" ('899 Claims 7, 9, 11; '292 Claim 1)		the response message including the particular location-relevant information: cause, utilizing the application, the one or more mobile device application actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information" / "in response to [after] the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the particular location-relevant information from the at least one server and via the second wireless communications protocol; cause, utilizing the computer code, the one or more mobile device actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information" / "after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the first location-relevant information and the second location- relevant information: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information"

			Structure: Indefinite
12	"said code, when executed, further configured to . . . in response to the receipt, from the at least one server and via the second wireless communications protocol and the Internet Protocol over the Internet at least in part, of the first response message including the first location-relevant information [of the first location-relevant information]: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information" ('292 Claims 15, 28)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "in response to the receipt, from the at least one server and via the second wireless communications protocol and the Internet Protocol over the Internet at least in part, of the first response message including the first location-relevant information [of the first location-relevant information]: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information" Structure: Indefinite
13	"said code, when executed, further configured to . . . after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the first location-relevant information and the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information"	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the first location-relevant information and the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at least one mobile device, the second visual information based on the second

	('292 Claim 1)		location-relevant information" Structure: Indefinite
14	"said code, when executed, further configured to . . . after the first visual information is caused to be output based on the first location-relevant information; after the at least one mobile device is moved in the building; and in response to the receipt, from the at least one server and via the second wireless communications protocol, of the second response message including the second location-relevant information: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information" ('292 Claim 15)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the first visual information is caused to be output based on the first location-relevant information; after the at least one mobile device is moved in the building; and in response to the receipt, from the at least one server and via the second wireless communications protocol, of the second response message including the second location-relevant information: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information" Structure: Indefinite
15	"said code, when executed, further configured to . . . after the receipt, from the at least one server and via the second wireless communications protocol, of the second location- relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the receipt, from the at least one server and via the second wireless communications protocol, of the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause

	least one mobile device, the second visual information based on the second location-relevant information" ('292 Claim 28)		to be output, via the at least one mobile device, the second visual information based on the second location-relevant information" Structure: Indefinite
16	"the system is configured such that, after the indication of the user input is received and after an initial instance of the output of the mobile device application visual information including the image [the output of the visual information] is caused, subsequent instances of the output of the mobile device application visual information including different images [the output of the visual information] are capable of being caused as a user moves among a plurality of the facilities of the building [as a user moves,], without requiring [necessitating] additional subsequent user input" ('899 Claims 1, 7, 9)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the indication of the user input is received and after an initial instance of the output of the mobile device application visual information including the image [the output of the visual information] is caused, subsequent instances of the output of the mobile device application visual information including different images [the output of the visual information] are capable of being caused as a user moves among a plurality of the facilities of the building [as a user moves,], without requiring [necessitating] additional subsequent user input" Structure: Indefinite
17	"the system is further configured such that, after the indication of the user input is received and after the output of the visual information is caused, subsequent output of different visual information is caused as the at least one mobile device is moved among	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the indication of the user input is received and after the output of the visual information is caused, subsequent output of different visual information is caused as the at least one

	"a plurality of the facilities of the building" ('899 Claim 11)		mobile device is moved among a plurality of the facilities of the building" Structure: Indefinite
18	"the system is further configured such that the option and the user input permit the user to determine whether the control of the one or more mobile device application actions is triggered" ('899 Claim 1)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the option and the user input permit the user to determine whether the control of the one or more mobile device application actions is triggered" Structure: Indefinite
19	"the system is further configured [configured] such that the option and the user input permit the user to influence whether the one or more mobile device actions is caused" ('899 Claim 7, 9)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the option and the user input permit the user to influence whether the one or more mobile device actions is caused" Structure: Indefinite
20	"the application, when executed, is configured to permit a determination as to whether the one or more mobile device application actions including causing to be output the visual information is triggered" ('899 Claim 11)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "permit a determination as to whether the one or more mobile device application actions including causing to be output the visual information is triggered" Structure: Indefinite
21	"the system is configured such that different brand-specific visual information is caused to be output as the user moves	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6)

	among the plurality of facilities of the shopping mall" "the system is configured such that different product-type-specific visual information is caused to be output as the user moves among the different locations of the retail store" ('899 Claim 7, 9)		Function: "different brand-specific visual information is caused to be output as the user moves among the plurality of facilities of the shopping mall" / "different product-type-specific visual information is caused to be output as the user moves among the different locations of the retail store" Structure: Indefinite
22	"the system is configured such that the output of the mobile device application visual information [the visual information] is conditionally caused based on whether a mobile device-specific threshold has been met" / "the system is configured such that the output of the first visual information and the second visual information are conditionally caused based on whether a mobile device-specific threshold has been met" ('899 Claims 4, 14; '292 Claims 5, 18)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the output of the mobile device application visual information [the visual information] is conditionally caused based on whether a mobile device-specific threshold has been met" / "the output of the first visual information and the second visual information are conditionally caused based on whether a mobile device-specific threshold has been met" Structure: Indefinite
23	"the system is configured such that, after the receipt of the indication of the user input, the visual information is automatically caused to be output, in response to the receipt of the indication of the receipt of the one or more messages that are broadcasted after the receipt of the indication of the user input" / "the system is	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "after the receipt of the indication of the user input, the visual information is automatically caused to be output, in response to the receipt of the indication of the receipt of the one or more messages that are broadcasted after the receipt

	configured such that, after the receipt of the indication of the user input, the first visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more first broadcast messages that are broadcasted after the receipt of the indication of the user input, and the second visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more second broadcast messages that are broadcasted after the receipt of the indication of the user input" ('899 Claim 18; '292 Claims 8, 21)		of the indication of the user input" / "after the receipt of the indication of the user input, the first visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more first broadcast messages that are broadcasted after the receipt of the indication of the user input, and the second visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more second broadcast messages that are broadcasted after the receipt of the indication of the user input" Structure: Indefinite
24	"the system is configured such that the visual information is automatically caused to be output without requiring further communication with the at least one broadcast short-range communications unit, after the receipt of the indication of the receipt of the one or more messages" ('899 Claim 19)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the visual information is automatically caused to be output without requiring further communication with the at least one broadcast short-range communications unit, after the receipt of the indication of the receipt of the one or more messages" Structure: Indefinite
25	"the system is configured such that the first visual information is automatically caused to be output without requiring communication of the at least one [first] message with the	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the first visual information is automatically caused to be output

	first broadcast short-range communications unit after the receipt of the indication of the receipt of the one or more first broadcast messages, and the second visual information is automatically caused to be output without requiring communication of the at least one [second] message with the second broadcast short-range communications unit after the receipt of the indication of the receipt of the one or more second broadcast messages" ('292 Claims 1, 15, 28)		without requiring communication of the at least one [first] message with the first broadcast short-range communications unit after the receipt of the indication of the receipt of the one or more first broadcast messages, and the second visual information is automatically caused to be output without requiring communication of the at least one [second] message with the second broadcast short-range communications unit after the receipt of the indication of the receipt of the one or more second broadcast messages" Structure: Indefinite
26	"the system is configured such that the one or more mobile device application actions is based on user feedback information received from a user of the at least one mobile device" ('899 Claim 23)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the one or more mobile device application actions is based on user feedback information received from a user of the at least one mobile device" Structure: Indefinite
27	"the system is configured such that both the first visual information and the second visual information are output based on user feedback information received from a user of the at least one mobile device" ('292 Claims 11, 25)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "both the first visual information and the second visual information are output based on user feedback information received from a user of the at least one mobile device"

			Structure: Indefinite
28	"the system is configured such that the subsequent output of the different visual information is capable of being caused without additional user input after the user input" ('899 Claim 25)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the subsequent output of the different visual information is capable of being caused without additional user input after the user input" Structure: Indefinite
29	"the system is configured such that both the first visual information and the second visual information are output without additional user input after the user input" ('292 Claim 12)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "both the first visual information and the second visual information are output without additional user input after the user input" Structure: Indefinite
30	"the system is configured such that the particular location-relevant information is located based on the at least on value" ('899 Claim 28)	Plain and Ordinary Meaning	Governed by 35 U.S.C. § 112(6) Function: "the particular location-relevant information is located based on the at least on value" Structure: Indefinite

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system on December 11, 2019.

/s/ Timothy Devlin
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